

REMARKS

Summary of the Final Office Action

Claims 1, 3, 8 and 10 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement.

Claims 1, 3, 8 and 10 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite.

Claims 1, 3, 8 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,414,630 to Usui.

Claims 1, 3, 8 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,959,529 to Kail, IV.

Summary of the Response to the Office Action

Applicants have amended claims 1, 3, 8 and 10 to differently describe the invention. Accordingly, claims 1, 3, 8 and 10 remain presently pending.

Rejections under 35 U.S.C. § 112

Claims 1, 3, 8 and 10 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. Claims 1, 3, 8 and 10 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Applicants have amended claims 1, 3, 8 and 10 in accordance with the Examiner's comments. Applicants respectfully submit that claims 1, 3, 8 and 10, as amended, fully comply with the requirements of 35 U.S.C. § 112, first and second paragraphs. Accordingly, Applicants request that the rejections under 35 U.S.C. § 112, first and second paragraphs be withdrawn.

The Rejections under 35 U.S.C. §§ 102 and 103

Claims 1, 3, 8 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Usui. Claims 1, 3, 8 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,959,529 to Kail, IV. To the extent that these rejections might be reapplied to the claims as newly-amended, they are respectfully traversed as follows.

Applicants respectfully submit that the claimed arrangements differ from the arrangement described in Usui for at least the following reasons. At pages 4-5 of the latest Office Action, the Examiner asserts that “the setting of the other mobile vehicle as predetermined or not predetermined is no different from the claimed setting of the other mobile vehicle in a valid or invalid state.” The Examiner goes on to assert that in Usui “when the identification is predetermined, the display of the other object is enabled whereas when the identification is not predetermined, the other vehicle position is not displayed.”

Applicants respectfully traverse the Examiner’s application of Usui against the arrangements and methodologies recited in the claims of the instant application for at least the following reasons. Applicants agree that both Usui and the instant application involve initially predetermining a set of other vehicle information. See, for example, the “Registered ID List” F2 of Fig. 4 of the instant application. This listing F2 represents, for example, a predetermined set of other vehicles that can be displayed within the user’s vehicle.

However, Applicants respectfully submit that the instant application presents a significant and novel improvement on this particular feature in that once a set of other vehicle information is predetermined in this way, the user can subsequently enable and/or disable any particular one of the other vehicles in the initially predetermined set of other vehicle information depending on the

particular situation at hand by making a selection of any of the predetermined listing of vehicles (F2 in Fig. 4) by enabling or disabling their display using the ACT button display (F3 in Fig. 4).

The Background of the Invention portion of the instant application, at page 1, discusses a problem in prior art arrangements is that “as the number of vehicles increases, a larger number of position marks appear on the display screen to result in a [sic] disorderly display.” In other words, for example, as the user arrives into an area where many of his predetermined other vehicles are present, his display screen can become cluttered.

Usui’s initial selection of a predetermined set of other vehicles is a similar arrangement as discussed in the Background portion of the instant application. In other words, Usui does not discuss or recognize this cluttered display problem, and accordingly, it does not teach, or even suggest, any solution to this problem.

However, the instant application’s provision of the capability for a user to enable and/or disable the display of any of these predetermined vehicles at any particular time can cure this problem, as discussed, for example, in the paragraph bridging pages 32 and 33. This portion of the specification teaches that “since the mobile vehicle navigation apparatus according to the present invention displays only the position of the vehicle (remote vehicle) which is set in a valid state by the user, a clear navigation display can be provided.” As discussed above, while Usui provides a predetermined listing of identification data, it does not teach or suggest provision of any arrangement or methodology to cure the problem addressed by the instant application’s disclosure. Usui does not discuss, to any extent, enabling or disabling individual items out of its predetermined listing, as recited in the claims of the instant application.

Even in light of the above-noted distinctions between the applied art and the claims of the instant application, in an effort to advance the prosecution of this application, Applicants have

newly-amended independent claim 1 in order to further emphasize these particular distinctive features of the instant application.

For example, page 10 of the specification, including the paragraph bridging pages 10 and 11 of the specification, describes the remote vehicle position request routine of Fig. 5. In particular, a controller 40 first supplies a display device 43 with an image display instruction for displaying the ID entry screen illustrated in Fig. 4 for the user to specify a remote vehicle to be displayed. The user can then make particular selections (e.g., “cancel,” “decide,” and “act”) using decision button displays B1-B3.

Accordingly, independent claim 1 has been newly-amended to further specify that its recited mobile vehicle navigation apparatus further includes “an operation part for generating a display instruction for displaying information representing the position of said other mobile vehicle on said display” and “a vehicle selection input part responsive to an instruction from said operation part, for receiving an entry to designate another mobile vehicle as a target to display.” Moreover, the “setting part” recitations have been amended to recite “a setting part for setting said other mobile vehicle designated through said vehicle selection input part either in a display valid state or in a display invalid state.” Moreover, similar amendments have been implemented into the remaining independent claims 3, 8 and 10.

The Office Action then goes on to reject claims 1, 3, 8 and 10 under 35 U.S.C. § 102(b) as being anticipated by a newly applied reference Kail, IV. Kail, IV involves a reprogrammable remote sensor monitoring system in which portable monitoring units, each having a sensor, are provided to be worn by a person or animal, or affixed to an inanimate subject. A sensor interface unit is provided to monitor its particular sensor and transmit that sensor’s data to a central monitoring device via a digital wireless communications network.

The Office Action, at page 5, asserts that Kail, IV "clearly shows the remote control of a mobile object so as to place the mobile object in an activated/deactivated state via remote signal from a user at any time desired by the user." Applicants respectfully submit that Kail, IV does not cure the deficiencies set forth above with regard to Usui in light of the newly-presented limitations in independent claims 1, 3, 8 and 10.

Applicants respectfully assert that the rejections under 35 U.S.C. §§ 102(b) and 103(a) should be withdrawn because the separately applied Usui and Kail, IV references do not teach or suggest each feature of independent claims 1, 3, 8 and 10, as amended. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)." Similarly, MPEP § 2143.03 instructs that "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974)."

Conclusions

In view of the foregoing, Applicants respectfully request the entry of the Amendments to place the application in clear condition for allowance or, in the alternative, in better form for appeal. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

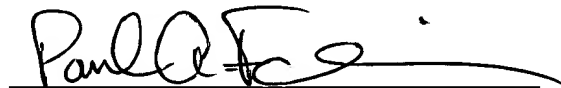
EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

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